IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO.2260 of 2007

DATE OF DECISION: 13.02.2007.

Harbhajan Singh ....Petitioner.

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. R.K.Arora, Advocate for
for the petitioner.

J.S. Khehar, J. (oral)

Through the instant writ petition, the petitioner desires the determination of his claim under the assured career progression scheme for the grant of an increment on completion of 24 years of regular service. It is the contention of the learned counsel for the petitioner, that in order to seek the aforestated higher increment on completion of 24 years of service, the petitioner addressed a legal notice dated 3.10.2006 (Annexure P-6) to the respondents, whereupon the petitioner is in receipt of a reply at the hands of respondent No.5 i.e. Accountant General (A&E), Punjab, wherein the petitioner has been informed that the decision on the issue has to be taken by the administrative department, where the petitioner is employed.

In view of the reply of respondent No.5, learned counsel for the petitioner states that the petitioner will be satisfied if the instant writ petition is disposed of with a direction to respondent No.2 i.e. Director Public Instructions (Secondary Education), Punjab, requiring him to take

a final decision on the legal notice dated 3.10.2006 (Annexure P-6).

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.2 i.e. Director Public Instructions (Secondary Education), Punjab, to take a final decision on the legal notice dated 3.10.2006 (Annexure P6), by passing a well reasoned speaking order within two months from the date of receipt of a certified copy of this order. In case the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to him within a further period of one month. It is, however, clarified that arrears, if any, due to the petitioner shall be limited to a period of three years and two months from the date of filing of the instant writ petition. It is also clarified that the instant writ petition came to be filed on 12.2.2007.

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

February 13, 2007.
vig